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U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement

SFR DRO 50/10

Office of the Field Director

630 Sansome Street, Room 590
San Francisco, CA 94111

March 2, 2006

TO: **CLERK OF THE COURT**
Office of Immigration Judge
San Francisco, CA

RECEIVED
DEPARTMENT OF JUSTICE
06 MAR -3 AM 9 41
IMMIGRATION SERVICE
OFFICE OF IMMIGRATION JUDGE
SAN FRANCISCO, CALIFORNIA

BIOCINI, ANA BEATRIZ (A91 182 333)
RESPONDENT

Please set the above named subject for an immediate custody hearing. The subject's case is **To Be Set** at the FCI Dublin **EOIR**.

The respondent's current address is: **IN ICE CUSTODY**


Master / Custody hearing date:

per

MLY
Court Clerk

on

3/3/06
Date


Mark A. Moser, Deportation Officer
For Deportation Branch

U.S. Department of Justice
Immigration and Naturalization Service

Notice of Custody Determination

File No.: A91 182 333

Date: March 2, 2006

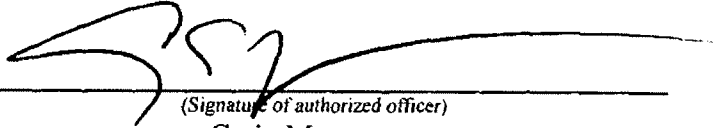
BIOCINI, ANA BEATRIZ

Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of title 8, Code of Federal Regulations, I have determined that pending a final determination by the Immigration Judge in your case, and in the event you are ordered removed from the United States, until you are taken into custody for removal, you shall be:

- ☒ detained in the custody of this Service.
☐ released under bond in the amount of \$
☐ released on your own recognizance.

☒ You may request a review of this determination by the Immigration Judge.

☐ You may not request a review of this determination by the Immigration Judge because the Immigration and Nationality Act prohibits your release from custody.


(Signature of authorized officer)

Craig Meyer

Supervisory Detention and Deportation Officer

(Title of authorized officer)

San Francisco, California

(INS office location)

☒ I do ☐ do not request a redetermination of this custody decision by the Immigration Judge.

☒ I acknowledge receipt of this notification.


(Signature of respondent)

3-2-2006
(Date)

RESULT OF CUSTODY REDETERMINATION

On _____, custody status/conditions for release were reconsidered by:

☐ Immigration Judge ☐ District Director ☐ Board of Immigration Appeals

The results of the redetermination/reconsideration are:

☐ No change - Original determination upheld. ☐ Release - Order of Recognizance
☐ Detain in custody of this Service. ☐ Release - Personal Recognizance
☐ Bond amount reset to \$ _____ ☐ Other: _____

(Signature of officer)

United States Department of Justice
Executive Office for Immigration Review
Immigration Court
550 Kearny St., Suite 800
San Francisco, CA 94108

DATE: February 10, 2006

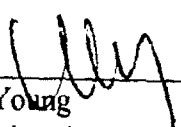
Christopher Todd
Immigration Law Clinic
University of California, Davis School of Law
1 Shields Ave TB-30
Davis, CA 95616-8821


FILE(s): A91 182 333, BIOCINI, Ana

RE: Motion for Telephonic ☒ Testimony of witness(es)
() Appearance for attorney

The Immigration Judge has considered the request for telephonic ☒ testimony () appearance
filed by the ☒ Respondent/Applicant/Attorney () Immigration and Naturalization Service
and concludes that the request should be ☒ granted () denied.

Request for telephonic appearances, the attorney is to await call from the Immigration Judge at
the scheduled hearing on _____ at _____.


M Young
Immigration Court Clerk

cc: 
Assistant District Counsel
550 Kearny St., Suite 1000
San Francisco, CA 94108

UNIVERSITY OF CALIFORNIA, DAVIS

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

KING HALL IMMIGRATION DETENTION PROGRAM (KHID)
SCHOOL OF LAW CLINICAL PROGRAMS
ONE SHIELDS AVENUE
DAVIS, CA 95616-8821
TELEPHONE: (530) 754-4833
FAX: (530) 752-0822
EMAIL: ImmCon@ucdavis.edu

RECEIVED
DEPARTMENT OF JUSTICE
06 FEB 10 AM 9:16
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW
OFFICE OF IMMIGRATION JUDGE
SAN FRANCISCO, CALIFORNIA

February 8, 2006

Honorable Judge Murry
Office of the Immigration Judge
Executive Office for Immigration Review
550 Kearny Street, Suite 800 (8th Floor)
San Francisco, CA 94108

RE: **In the Matter of Ana Biocini, A 091-182-333**

Dear Judge Murry's Clerk:

Enclosed please find two motions to be filed with the court regarding the matter mentioned above. The two motions consist of **Respondent's Request to Appear by Telephone** and **Respondent's Witness List & Motion for Telephone Testimony**.

Sincerely,

A handwritten signature in cursive script, reading "Dia Moua".

Dia Moua
Student Advocate
King Hall Immigration Detention Program [KHID]

CHRISTOPHER TODD, Attorney at Law
IMMIGRATION LAW CLINIC
University of California, Davis School of Law
1 Shields Avenue TB-30
Davis, CA 95616-8821
Tel.: (530) 752-6942 or
(415) 846-9311
Fax: (530) 752-0822

Attorneys for Respondent
ANA BIOCINI

Assisted by: Dia Moua, Chad Greeson

DETAINED ALIEN

RECEIVED
DEPARTMENT OF JUSTICE
06 FEB 10 AM 9:16
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF IMMIGRATION JUDGE
SAN FRANCISCO, CALIFORNIA

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA (DUBLIN FCI)

IN THE MATTER OF:

File No. A 091-182-333

ANA BIOCINI

RESPONDENT'S REQUEST TO
APPEAR BY TELEPHONE

Respondent.

Date: February 15, 2006

Time: 1:00 P.M.

In Removal Proceedings

Judge: Murry

The Respondent requests this Court's assistance in making arrangements with FCI-Dublin to allow her to be present telephonically at the February 15, 2006 hearing. The undersigned is informed and believes that Ms. Biocini can be present in her case officer's office on that date and listen to the proceedings by telephone. The undersigned will contact FCI-Dublin and make this request, and would ask that if necessary the court contact FCI-Dublin as well in order to reiterate this request.

Dated: February 08, 2006

Respectfully submitted,


CHRISTOPHER TODD

Immigration Law Clinic, UC Davis School of Law
Attorneys for the Respondent
Ana Biocini

1 **CERTIFICATE OF SERVICE**

2 On February 08, 2006, I served the following document(s): *Respondent's Witness List & Motion*
3 *for Telephone Testimony* upon the parties in said action by placing a true and correct copy in a sealed
4 envelope and each envelope addressed as follows:

5 Honorable Judge Murry
6 Office of the Immigration Judge
7 Executive Office for Immigration Review
8 550 Kearny Street, Suite 800 (8th Floor)
9 San Francisco, CA 94108

10 — *By Facsimile Machine (Fax).* By personally transmitting a true and correct copy thereof via an
11 electronic facsimile machine during regular business hours.

12 X *By Mail.* I am readily familiar with the business practice for collection and processing of
13 correspondence for mailing with the United States Postal Service and that this document, with
14 postage fully prepaid, will be deposited with the United States Postal Service this date in the
15 ordinary course of business.

16 — *By Certified Mail.* I am readily familiar with the business practice for collection and processing
17 of correspondence for certified mailing with the United States Postal Service and that this
18 document, with postage fully prepaid, will be deposited with the United States Postal Service on
19 this date in the ordinary course of business.

20 — *By Overnight/Express Mail.* I am familiar with the business practice for the collection and
21 processing for Overnight/Express Mail with the United States Postal Service and/or Overnight
22 service provider. Such correspondence will be deposited with a facility regularly maintained by
23 the United States Postal Service for receipt of express mail or other overnight service
24 providers/entities (i.e., Federal Express, United States Parcel Service, etc.) For receipt of
25 Overnight Mail on the same day in the ordinary course of business.

26 — *By Personal Service.* By personally delivering a true copy thereof to the office of the addressee
27 above.

28 I declare under penalty of perjury that the foregoing is true and correct. Executed on February
08, 2006, in Davis, CA.

Christopher J. Todd, Esq.

CHRISTOPHER TODD, Attorney at Law
IMMIGRATION LAW CLINIC
University of California, Davis School of Law
1 Shields Avenue TB-30
Davis, CA 95616-8821
Tel.: (530) 752-6942 or
(415) 846-9311
Fax: (530) 752-0822

Attorneys for Respondent
ANA BIOCINI

Assisted by: Dia Moua, Chad Greeson

DETAINED ALIEN

RECEIVED
DEPARTMENT OF JUSTICE
06 FEB 10 AM 9:16
IMMIGRATION REVIEW
OFFICE OF IMMIGRATION JUDGE
SAN FRANCISCO, CALIFORNIA

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA (DUBLIN FCI)

IN THE MATTER OF:

File No. A 091-182-333

ANA BIOCINI

RESPONDENT'S WITNESS LIST &
MOTION FOR TELEPHONE
TESTIMONY

Respondent.

In Removal Proceedings

Date: February 15, 2006

Time: 1:00 P.M.

Judge: Murry

The Respondent intends to call the following witness to testify in her removal proceeding.
Respondent respectfully moves this court to allow these witnesses to testify by telephone.

Witnesses: Luz Estella Nagle
Professor of Law
Stetson University College of
Law
1401 61st Street South
Gulfport, Florida 33707
(727) 562-7814

Lowell S. Gustafson
Professor of Political Science
Department of Political Science, SAC 256
Villanova University
Villanova, PA 19085
(610) 519-4737

Both witnesses will testify regarding the contents of their respective and previously-submitted declarations.

Dated: February 8, 2006

Respectfully submitted,


CHRISTOPHER TODD

Immigration Law Clinic, UC Davis School of Law
Attorneys for the Respondent, Ana Biocini

Granted
ASM
2/9/06

1 **CERTIFICATE OF SERVICE**

2 On February 8, 2006, I served the following document(s): *Respondent's Witness List & Motion for*
3 *Telephone Testimony* upon the parties in said action by placing a true and correct copy in a sealed
envelope and each envelope addressed as follows:

4 Honorable Judge Murry
5 Office of the Immigration Judge
6 Executive Office for Immigration Review
550 Kearny Street, Suite 800 (8th Floor)
San Francisco, CA 94108

7 — *By Facsimile Machine (Fax).* By personally transmitting a true and correct copy thereof via an
8 electronic facsimile machine during regular business hours.

9 X *By Mail.* I am readily familiar with the business practice for collection and processing of
10 correspondence for mailing with the United States Postal Service and that this document, with
postage fully prepaid, will be deposited with the United States Postal Service this date in the
ordinary course of business.

11 — *By Certified Mail.* I am readily familiar with the business practice for collection and processing
12 of correspondence for certified mailing with the United States Postal Service and that this
document, with postage fully prepaid, will be deposited with the United States Postal Service on
13 this date in the ordinary course of business.

14 — *By Overnight/Express Mail.* I am familiar with the business practice for the collection and
15 processing for Overnight/Express Mail with the United States Postal Service and/or Overnight
service provider. Such correspondence will be deposited with a facility regularly maintained by
16 the United States Postal Service for receipt of express mail or other overnight service
providers/entities (i.e., Federal Express, United States Parcel Service, etc.) For receipt of
Overnight Mail on the same day in the ordinary course of business.

17 — *By Personal Service.* By personally delivering a true copy thereof to the office of the addressee
18 above.

19 I declare under penalty of perjury that the foregoing is true and correct. Executed on February 8,
2006, in Davis, CA.

21 Christopher J. Todd, Esq.
22
23
24
25
26
27
28

NOTICE OF HEARING IN REMOVAL PROCEEDINGS
IMMIGRATION COURT

550 KEARNY ST., SUITE 800

SAN FRANCISCO, CA 94108

RE: *F-BIOCINI, ANA BEATRIZ
FILE: A91-182-333

(APPEAR WANTED)

DATE: Jan 3, 2006

TO: CHRISTOPHER TODD
IMMIGRATION LAW CLINIC- UC DAVIS SCHOOL OF LAW
ONE SHIELDS AVENUE
DAVIS, CA 95616

Please take notice that the above captioned case has been scheduled for a
INDIVIDUAL hearing before the Immigration Court on Feb 15, 2006 at 1:00 P.M. at:

630 SANSOME ST COURTROOM 937B
SAN FRANCISCO, CA 94111

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. Your hearing date has not been scheduled earlier than 10 days from the date of service of the Notice to Appear in order to permit you the opportunity to obtain an attorney or representative. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed. You can request an earlier hearing in writing.

Failure to appear at your hearing except for exceptional circumstances may result in one or more of the following actions: (1) You may be taken into custody by the Immigration and Naturalization Service and held for further action. OR (2) Your hearing may be held in your absence under section 240(b)(5) of the Immigration and Nationality Act. An order of removal will be entered against you if the Immigration and Naturalization Service established by clear, unequivocal and convincing evidence that a) you or your attorney has been provided this notice and b) you are removable.

IF YOUR ADDRESS IS NOT LISTED ON THE NOTICE TO APPEAR, OR IF IT IS NOT CORRECT, WITHIN FIVE DAYS OF THIS NOTICE YOU MUST PROVIDE TO THE IMMIGRATION COURT SAN FRANCISCO, CA THE ATTACHED FORM EOIR-33 WITH YOUR ADDRESS AND/OR TELEPHONE NUMBER AT WHICH YOU CAN BE CONTACTED REGARDING THESE PROCEEDINGS. EVERYTIME YOU CHANGE YOUR ADDRESS AND/OR TELEPHONE NUMBER, YOU MUST INFORM THE COURT OF YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER WITHIN 5 DAYS OF THE CHANGE ON THE ATTACHED FORM EOIR-33. ADDITIONAL FORMS EOIR-33 CAN BE OBTAINED FROM THE COURT WHERE YOU ARE SCHEDULED TO APPEAR. IN THE EVENT YOU ARE UNABLE TO OBTAIN A FORM EOIR-33, YOU MAY PROVIDE THE COURT IN WRITING WITH YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER BUT YOU MUST CLEARLY MARK THE ENVELOPE "CHANGE OF ADDRESS." CORRESPONDENCE FROM THE COURT, INCLUDING HEARING NOTICES, WILL BE SENT TO THE MOST RECENT ADDRESS YOU HAVE PROVIDED, AND WILL BE CONSIDERED SUFFICIENT NOTICE TO YOU AND THESE PROCEEDINGS CAN GO FORWARD IN YOUR ABSENCE.

A list of free legal service providers has been given to you. For information regarding the status of your case, call toll free 1-800-898-7180 or 703-305-1662. *YOU MUST BRING PHOTO IDENTIFICATION TO ENTER THE BUILDING.*

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)

TO: [] ALIEN [] ALIEN c/o Custodial Officer [] ALIEN's ATT/REP

DATE: JAN - 3 2006 BY: COURT STAFF

(V) INS
V3

JBA

Attachments: [] EOIR-33 [] EOIR-28 [] Legal Services List [] Other

MEI

UNITED STATES DEPARTMENT OF JUSTICE
Executive Office for Immigration Review
Immigration Court
550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

/___/ DETAINED AT GOV'T EXPENSE

DATE: May 17, 2005

NATIONALITY: COLOMBIA

FILE NUMBER: A91-182-333

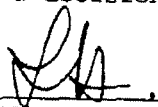
*F-BIOCINI, ANA BEATRIZ

Department of State
Bureau of Democracy, Human Rights and Labor
Office of Country Reports and Asylum Affairs
2401 E Street, NW, Room H242
Washington, D.C. 20037

Dear Sir:

Pursuant to 8 C.F.R. 208.11, herein enclosed for your review, is a copy of an application for asylum and withholding on Form I-589 and attachments relating to the above-named subject. He/she asserts that he/she will be persecuted on account of his/her race, religion, nationality, membership in a particular social group or political opinion or tortured if returned to his/her native country. Neither a determination of the applicant's credibility nor an evaluation of his/her claim has been made.

A hearing on this application has been scheduled for Sep 19, 2005. If we do not hear from you by Sep 19, 2005, we will assume that you have chosen not to comment. Your response prior to this date would be most helpful for the Immigration Judge in arriving at a decision in this case.


IMMIGRATION COURT CLERK

Enclosures

cc: INS Asst. District Counsel
AGUILAR, JASON B.
550 KEARNY STREET, SUITE 1000
SAN FRANCISCO, CA 94108

cc: Alien or Alien's Attorney/Representative
*F-BIOCINI, ANA BEATRIZ
FCI
DUBLIN, CA 94568

SS

LH

001429

December 13, 2005

Honorable Judge Murry
Office of the Immigration Judge
Executive Office for Immigration Review
550 Kearny Street, Suite 800 (8th Floor)
San Francisco, CA 94108

RECEIVED
DEPARTMENT OF JUSTICE

DEC 14 2005
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA

RE: Ana Biocini, A 091-182-333

Dear Court Clerk,

Please include the enclosed *Respondent's Submission of Supporting Documentation* and *Respondent's Witness List & Motion for Telephone Testimony* with the previously submitted evidence exhibits for the above mentioned case.

Respectfully submitted,



CHRISTOPHER TODD
Immigration Law Clinic, UC Davis School of Law
Attorneys for the Respondent
Ana Biocini

AR 1431-41 have
been deleted.

Please see AR 928-38

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CA

*F-BIOCINI, ANA BEATRIZ
C/O SMITH, BRUCE
FCI 5675 8TH STREET, CAMP PARK
DUBLIN, CA 94568
INMATE NO: 93061-011

NOTICE OF HEARING IN REMOVAL PROCEEDINGS

DATE OF NOTICE: Mar 18, 2005
FILE: A91-182-333

You are hereby notified that a hearing in this case is scheduled/rescheduled before the Immigration Court on May 16, 2005 at 8:30 A.M. at

5701 EIGHTH STREET CAMP PARKS
DUBLIN, CA 94568

You may be represented in this proceeding at no expense to the Government by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. If you wish to be represented, your attorney or representative should appear with you at the scheduled hearing.

Except as otherwise ordered by an Immigration Judge, any motions (including motions for continuances and motions to withdraw as counsel), applications, or other correspondence concerning this case should be filed with the Immigration Court at:

550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

at least 10 days prior to the scheduled hearing. Evidence of payment of appropriate filing fees must be included.

ANYONE EXPECTING TO ENTER THE FACILITY IN ORDER TO APPEAR AT THE IMMIGRATION HEARING IS SUBJECT TO CORRECTIONS DEPARTMENT POLICIES AND PROCEDURES REGARDING ENTRY. CONTACT THE SECURITY OFFICE AT THIS PRISON IN ADVANCE OF THE DAY OF THE HEARING FOR FURTHER SPECIFIC INFORMATION ABOUT ENTRY GUIDELINES.

FOR INFORMATION REGARDING THE STATUS OF YOUR CASE, CALL TOLL FREE 1-800-898-7180 OR 703-305-1662.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: ☒ MAIL (M) ☐ PERSONAL SERVICE (P)
TO: ☐ ALIEN ☒ ALIEN c/o Custodial Officer ☐ ALIEN's ATT/REP ☒ INS
DATE: MAR 18 2005 BY: COURT STAFF clm
Attachments: 205 EOIR-33 ☐ EOIR-28 ☒ Legal Services List ☐ Other

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CA

*F-BIOCINI, ANA BEATRIZ
C/O SMITH, BRUCE
FCI 5675 8TH STREET, CAMP PARK
DUBLIN, CA 94568
INMATE NO: 93061-011

NOTICE OF HEARING IN REMOVAL PROCEEDINGS

DATE OF NOTICE: Feb 10, 2005
FILE: A91-182-333

You are hereby notified that a hearing in this case is ~~is scheduled~~/rescheduled before the Immigration Court on Jul 18, 2005 at 8:30 A.M. at

5701 EIGHTH STREET CAMP PARKS
DUBLIN, CA 94568

You may be represented in this proceeding at no expense to the Government by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. If you wish to be represented, your attorney or representative should appear with you at the scheduled hearing.

Except as otherwise ordered by an Immigration Judge, any motions (including motions for continuances and motions to withdraw as counsel), applications, or other correspondence concerning this case should be filed with the Immigration Court at:

550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

at least 10 days prior to the scheduled hearing. Evidence of payment of appropriate filing fees must be included.

ANYONE EXPECTING TO ENTER THE FACILITY IN ORDER TO APPEAR AT THE IMMIGRATION HEARING IS SUBJECT TO CORRECTIONS DEPARTMENT POLICIES AND PROCEDURES REGARDING ENTRY. CONTACT THE SECURITY OFFICE AT THIS PRISON IN ADVANCE OF THE DAY OF THE HEARING FOR FURTHER SPECIFIC INFORMATION ABOUT ENTRY GUIDELINES.

FOR INFORMATION REGARDING THE STATUS OF YOUR CASE, CALL TOLL FREE 1-800-898-7180 OR 703-305-1662.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)
TO: ☐ ALIEN ☒ ALIEN c/o Custodial Officer ☐ ALIEN's ATT/REP ☒ INS
DATE: FEB 10 2005 BY: COURT STAFF
Attachments: ☐ EOIR-33 ☒ EOIR-28 ☒ Legal Services List ☐ Other

US DEPARTMENT OF JUSTICE
IMMIGRATION COURT
550 Kearny Street, Suite 800
San Francisco, CA 94108

RE:

Anna Bentley Brown

FILE:

AT 91-182-333

DATE: 5/16/04

NOTICE OF HEARING IN REMOVAL PROCEEDINGS

Please take notice that the above captioned case has been scheduled for a master (individual) hearing before an Immigration Judge on:

September 19, 2005 at 1:00 PM at

FEDERAL CORRECTIONAL INSTITUTION, PLEASANTON
5701 EIGHTH STREET, CAMP PARK
DUBLIN, CA 94568

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed.

Failure to appear at your hearing except for exceptional circumstances may result in the following action:

Your hearing may be held in your absence under section 240(b)(5) of the Immigration and Nationality Act. An order of removal will be entered against you if the Immigration and Naturalization Service establishes by clear, unequivocal and convincing evidence that a) you or your attorney has been provided this notice and b) you are removable.

Any correspondence or filing with the court should be addressed to:

IMMIGRATION COURT
P.O. BOX 2326
SAN FRANCISCO, CA 94126-2326

A list of free Legal Service Providers has been given to you. For information regarding the status of your case, call toll free 1-800-898-7180.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL () M PERSONAL SERVICE (X) P
TO: [X] ALLEN [] ALLEN C/O Custodial Officer [] ALLEN'S ATTY/REP [X] DHS
DATE: 5/16/05 COURT CLERK LH

Attachments: [] MOIR-33 [] MOIR-28 [] Legal Services List [] Other

due by: _____

Advisal for filing an 1-589 were given on 5-16-04.

PROOF OF SERVICE

I, the undersigned, declare:

That I am an employee of UC Davis Immigration Law Clinic
and my business address is KHID, School of Law Clinical Programs,
One Shields Ave., Davis, CA 95616

I served the original / true copy of the attached: _____

in person / by placing said original / true copy in an envelope, which was then sealed, with
postage fully paid thereon, and was this day addressed as follows:

PLEASE CHECK ONLY ONE OF THE BELOW

☒ Immigration Court (delivered in person)
550 Kearny Street, Suite 800
San Francisco, CA 94108

☐ Immigration Court (delivered by mail)
550 Kearny Street, Suite 800
San Francisco, CA 94108

☐ Department of Homeland Security (delivered in person)
Office of the Chief District Counsel
550 Kearny Street, Suite 1000
San Francisco, CA 94108

☐ Department of Homeland Security (delivered by mail)
Office of the Chief District Counsel
P.O. Box 26449
San Francisco, CA 94126-6449

Date 3/10/06

Signature Chad Con

7004 2510 0001 2736 0491

FEDERAL PROBATIONAL INSTITUTION Dublin

ANR BROUINI #93061-011

5701 8th ST Camp Parks

Dublin CA 94568.



EXECUTIVE OFFICE FOR Immigration Review

IMMIGRATION COURT

HONORABLE Judge MURRY

C/O EDUARDO MESSIDORO

550 KERNY ST, suite 800

SAN FRANCISCO CA 94108

Column 105 (11 1/2 x 14 1/2)

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. </p> <p> <i>Enrollment, Pass for Training - the R.</i> <i>Immigration Court</i> <i>Monksdale Twp, Monroeville</i> <i>90 E. Liberty Ave, Suite 200</i> <i>550 REARDY ST, Suite 200</i> <i>SAN FRANCISCO CA 94108</i> </p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7004 2510 0001 2730 0491</p>		<p>3. Service Type</p> <p> <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. </p>	
<p>PS Form 3811, August 2001</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>10595-02-M-1540</p>	

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

0033J

FILE: A91-182-333

DATE: Aug 15, 2005

IN THE MATTER OF: *F-BIOCINI, ANA BEATRIZ

TO: DISTRICT COUNSEL

PLEASANTON - FEDERAL CORRECTIONAL INSTITUTION

FROM: ANTHONY S. MURRY

IMMIGRATION JUDGE

PLEASANTON - FEDERAL CORRECTIONAL IN

A Motion for

- ☐ Change of Venue
- ☒ Continuance
- ☐ Attorney Withdrawal/Substitution
- ☐ Reopen/Reconsideration
- ☐ Termination
- ☐ Other: _____

has been filed with this office.
You are granted until 8/25/05 within which to make
representations relative to the motion.

This case is set for hearing on Sep 19, 2005 in PLEASANTON - FEDERAL CORRECTION

cc: *F-BIOCINI, ANA BEATRIZ
FCI
DUBLIN, CA 94568

DX

MEI

001448

ANA BEATRIZ BIOCINI # 9308 11
FEDERAL CORRECTIONAL INSTITUTION
5701 8th ST CAMP PARKS
DUBLIN, CA. 94568

Dana I

AS
PLE
[9/10]

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

HONORABLE: JUDGE MURRY

UNITED STATES OF AMERICA
Respondent

v.

ANA BEATRIZ BIOCINI
Petitioner

ALIEN # 91182333

MOTION TO RESCHEDULE THE INDIVIDUAL
HEARING SET UP FOR SEPTEMBER 19, 2005

COMES NOW PETITIONER ANA BEATRIZ BIOCINI REQUESTING This Honorable Court for a
continuence for the Individual hearing schedule on September 19, 2005.

Unfortunately a postponent of 3 more weeks will be necessary to have my Attorney
from U.C Davis to completely investigate and prepare my case including schedule for
interviews with me at the Federal Correctional Institution here at Dublin, Ca.

For this main reason I'am Requesting this Honorable Court to Grant an extention
and re-schedule the September 19, 2005 hearing for the next available opening court
calendar for an individual hearing.

Dated This 10, day of August, 2005

Respectfully Submitted

Ana B Biocini
ANA BEATRIZ BIOCINI
FEDERAL CORRECTIONAL INST D.
5701 8th ST CAMP PARKS
DUBLIN CA 94568

AUG 12

CERTIFICATE OF SERVICE

I certify that the following document MOTION TO RESCHEDULE SEPTEMBER 19, 2005 was placed in the institution mailbox (first -class postage, prepaid) Said document was sent to the following individual on the date listed below , Pursuatn to Houston v Lack 487 U.S. 266 (1988). Under Title 28 U.S.C. § 1746 "Pro Se litigant's pleadings are filed at the mometn of delivery to prison authorities.

August 10, 2005

Date

Ana B Biocini

Ana Beatriz Biocini

United States Attorney Office

United Stats Department of
Justice
Executive Office of Immigration
Review
550 Kearny Street 1000
San Francisco, Ca. 94108

U.S. DISTRICT COURT

Honorable Judge Murry
United States Court
550 Kearny Street
Ste 800
San Francisco, Ca. 94108

AUG 12 2005

UNIVERSITY OF CALIFORNIA, DAVIS

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • PETERSON • SAN DIEGO • SAN FRANCISCO



SACRAMENTO • SANTA CRUZ

IMMIGRATION LAW CLINIC
 SCHOOL OF LAW CLINICAL PROGRAMS
 ONE SHIELDS AVENUE
 DAVIS, CA 95616-8821
 TELEPHONE (530) 752-6042
 FAX (530) 752-6022
 EMAIL: ImmClin@ucdavis.edu

August 4, 2005

Ana Biocini #93601-011
 Federal Correctional Institution, Dublin
 5701 8th Street Camp Parks
 Dublin, CA 94568

Dear Ms. Biocini:

Currently, you have an "individual hearing" scheduled for September 19, 2005. In your original letter to the Clinic, you expressed the desire to expedite the resolution of your immigration case, if possible, before this September date. In my initial response to your solicitation, I told you that before the Clinic can make a commitment to represent you we would need time to investigate your case, and that in order to accomplish this investigation it may be necessary to ask the court for a postponement. **Unfortunately, a postponement will be necessary.**

Since your original letter and our response, one of the Clinic's two staff attorneys moved-on to a new position. A replacement has been retained, but he will not begin working until the beginning of the semester. Consequently, we had to absorb the departing attorney's pending cases. Apart from our staff attorneys, law students are the Clinic's primary personnel resource. During the summer, when school is not in session, that resource is very limited. Losing one of our attorneys has increased the demand upon our remaining staff. We have not had the time to completely investigate your case, including time to schedule an interview with you in Dublin. **Before we can commit to representing you, we will need more time.**

On August 22, 2005 the semester begins again. From that date, it takes at least three weeks to orient the new Clinical Assistants and assign cases. Once cases have been assigned, the assignees will need time to familiarize themselves with your file and schedule and interview. **This cannot be accomplished in time to for your currently scheduled September 19 individual hearing.**

There is another complication. Because the hearing scheduled for September is an "individual hearing," to secure a postponement, you will need to make a written

Note: I spoke to Mr. Iverson and he needs the hearing will be postponed 3 weeks later and he will be ready to represent me.

and Biocini

request addressed to Judge Murry at least 30 days prior to day your hearing is currently scheduled. This means that, **if you want the Clinic to complete our investigation of your case and make a representation determination, you will need to write Judge Murry asking for a postponement by August 19, 2005.** As evidence of your good faith effort to secure representation, you may include this letter with your written request to Judge Murry asking for a postponement. **Please understand, even if Judge Murry grants such a request that does not mean the Clinic will be your representative. We simply need more time to make that determination.**

On behalf of the Clinic, I apologize for the necessity of this delay in making a representation determination. It could not be avoided. If you continue to want the Clinic to proceed, please let us know and your case will be assigned to an incoming Clinical Assistant(s). **If that is your desire, to repeat, you will need to write Judge Murry by August 19, 2005, asking him for a postponement.**

Sincerely,



Steve A. Iverson
Clinical Assistant
UC Davis Immigration Law Clinic

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA

*F-BIOCINI, ANA BEATRIZ
FCI
DUBLIN CA 94568

Date: Aug 25, 2005

File A91-182-333

In the Matter of:
*F-BIOCINI, ANA BEATRIZ

Attached is a copy of the written decision of the Immigration Judge. This decision is final unless an appeal is taken to the Board of Immigration Appeals. The enclosed copies of FORM EOIR 26, Notice of Appeal, and FORM EOIR 27, Notice of Entry as Attorney or Representative, properly executed, must be filed with the Board of Immigration Appeals on or before _____. The appeal must be accompanied by proof of paid fee (\$110.00).

Enclosed is a copy of the oral decision.

Enclosed is a transcript of the testimony of record.

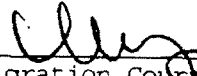
You are granted until _____ to submit a brief to this office in support of your appeal.

Opposing counsel is granted until _____ to submit a brief in opposition to the appeal.

Enclosed is a copy of the order/decision of the Immigration Judge.

All papers filed with the Court shall be accompanied by proof of service upon opposing counsel.

Sincerely,


Immigration Court Clerk

UL

cc: AGUILAR, JASON B.
550 KEARNY STREET, SUITE 1000
SAN FRANCISCO, CA 94108

MEI

001453

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

IN THE MATTER OF:

CASE NO. A91-182-333

*F-BIOCINI, ANA BEATRIZ

RESPONDENT

IN REMOVAL PROCEEDINGS

APPLICATION: MOTION FOR CONTINUANCE

ON BEHALF OF RESPONDENT:

ON BEHALF OF THE SERVICE:

*F-BIOCINI, ANA BEATRIZ

FCI

DUBLIN, CA 94568

AGUILAR, JASON B.
Asst. District Counsel, USINS
550 Kearny Street, Suite 1000
San Francisco, CA 94108

ORDER OF THE IMMIGRATION JUDGE

The Immigration Judge has considered the motion for a continuance filed by

[☒ Respondent/Applicant [] Immigration and Naturalization Service

for the hearing scheduled for Sep 19, 2005 and concludes that the motion should be:

[] GRANTED because the Service does not oppose the request.

[☒ GRANTED because good cause has been established for the requested continuance.

[] DENIED because no good cause has been established for the requested continuance.

[] DENIED because _____

[] IT IS ORDERED that the motion be, and it is hereby, denied.

[☒ IT IS ORDERED that the motion be, and is hereby granted.

Notice of the new hearing date will be served in the appropriate manner.

DATE:

8/25/05

Anthony S. Murry
ANTHONY S. MURRY
Immigration Judge

Place on
D5 October
PHE calendar
for ipm-IC

MEI

001454

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CA

*F-BIOCINI, ANA BEATRIZ
C/O AGUILAR, JASON B.
550 KEARNY STREET, SUITE 1000
SAN FRANCISCO, CA 94108
INMATE NO: 93061-011

NOTICE OF HEARING IN REMOVAL PROCEEDINGS

DATE OF NOTICE: Aug 25, 2005
FILE: A91-182-333

You are hereby notified that a hearing in this case is scheduled rescheduled
before the Immigration Court on Oct 17, 2005 at 1:00 P.M. at

5701 EIGHTH STREET CAMP PARKS
DUBLIN, CA 94568

You may be represented in this proceeding at no expense to the Government
by an attorney or other individual who is authorized and qualified to represent
persons before an Immigration Court. If you wish to be represented, your
attorney or representative should appear with you at the scheduled hearing.

Except as otherwise ordered by an Immigration Judge, any motions (including
motions for continuances and motions to withdraw as counsel), applications, or
other correspondence concerning this case should be filed with the Immigration
Court at:

550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

at least 10 days prior to the scheduled hearing. Evidence of payment of
appropriate filing fees must be included.

ANYONE EXPECTING TO ENTER THE FACILITY IN ORDER TO APPEAR AT THE IMMIGRATION
HEARING IS SUBJECT TO CORRECTIONS DEPARTMENT POLICIES AND PROCEDURES REGARDING
ENTRY. CONTACT THE SECURITY OFFICE AT THIS PRISON IN ADVANCE OF THE DAY OF THE
HEARING FOR FURTHER SPECIFIC INFORMATION ABOUT ENTRY GUIDELINES.

FOR INFORMATION REGARDING THE STATUS OF YOUR CASE, CALL TOLL FREE
1-800-898-7180 OR 703-305-1662.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)
TO: ☒ ALIEN ☒ ALIEN c/o Custodial Officer ☐ ALIEN's ATT/REP ☒ INS
DATE: AUG 25 2005 BY: COURT STAFF [Signature]
Attachments: ☐ EOIR-33 ☐ EOIR-28 ☐ Legal Services List ☐ Other



U.S. Department of Justice

Executive Office for Immigration Review

Immigration Court

Date:

11/1/05

550 Kearny Street, Ste 800
San Francisco, CA 94108

File Number:

A 91182333

Riding cases: A

Type of case:

☒ Removal

☐ Deportation

☐ Exclusion

Respondent/Attorney Name:

BIOCINI

C. TODD

Your Name and Agency you represent:

UC Davis Imm Law Clinic

Please check one or more of the following:

☒ Review File Only

☐ Tape Review Only

☐ Tape Copying (Total of tapes: _____)

Copies of documents requested:

☒ NTA or OSC

☐ Additional Charges

☐ Immigration Judge Order

After reviewing the record/tape, the reviewer must initial this form which will be maintained in the Record of Proceedings.

Reviewer's initial:

GT

Copied by Staff member:

WV

Date copied:

11-1-05

PLE/ASM

12-19-05
WV

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA

CHRISTOPHER TODD
IMMIGRATION LAW CLINIC- UC DAVIS SCHOOL OF LAW
ONE SHIELDS AVENUE
DAVIS CA 95616

IN THE MATTER OF
*F-BIOCINI, ANA BEATRIZ

FILE A91-182-333

I, THE UNDERSIGNED EMPLOYEE OF THE EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW, SAY THAT ON THE DATE INDICATED BELOW I SERVED
THE ATTACHED DOCUMENT/NOTICE(S) UPON THE FOLLOWING PERSON(S):

DISTRICT COUNSEL/AGUILAR, JASON B., TA
IMMIGRATION AND NATURALIZATION SERVICE
SAN FRANCISCO, CA

CHRISTOPHER TODD
IMMIGRATION LAW CLINIC- UC DAVIS SCHOOL OF LAW
ONE SHIELDS AVENUE
DAVIS, CA 95616

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT.
(AUTHORITY: 28 U.S.C. 1746.)

DATE OF MAILING: Oct 17, 2005


COURT CLERK

CP

MEI

001457

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

IN THE MATTER OF:

CASE NO. A91-182-333

*F-BIOCINI, ANA BEATRIZ

RESPONDENT

IN REMOVAL PROCEEDINGS

APPLICATION: MOTION FOR CONTINUANCE

ON BEHALF OF RESPONDENT:

ON BEHALF OF THE SERVICE:

CHRISTOPHER TODD

IMMIGRATION LAW CLINIC- UC DAVIS SCHOOL OF LAW

ONE SHIELDS AVENUE

DAVIS, CA 95616

AGUILAR, JASON B.

Asst. District Counsel, USINS

550 Kearny Street, Suite 1000

San Francisco, CA 94108

ORDER OF THE IMMIGRATION JUDGE

The Immigration Judge has considered the motion for a continuance filed by

☒ Respondent/Applicant ☐ Immigration and Naturalization Service

for the hearing scheduled for Oct 17, 2005 and concludes that the motion should be:

☒ GRANTED because the Service does not oppose the request.

☐ GRANTED because good cause has been established for the requested continuance.

☐ DENIED because no good cause has been established for the requested continuance.

☐ DENIED because _____

☐ IT IS ORDERED that the motion be, and it is hereby, denied.

☒ IT IS ORDERED that the motion be, and is hereby granted.

Notice of the new hearing date will be served in the appropriate manner.

DATE: 10/14/05

AVM
ANTHONY S. MURRY
Immigration Judge

MEI

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001458

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CA

*F-BIOCINI, ANA BEATRIZ
C/O AGUILAR, JASON B.
550 KEARNY STREET, SUITE 1000
SAN FRANCISCO, CA 94108
INMATE NO: 93061-011

NOTICE OF HEARING IN REMOVAL PROCEEDINGS

DATE OF NOTICE: Oct 17, 2005
FILE: A91-182-333

You are hereby notified that a hearing in this case is scheduled/rescheduled before the Immigration Court on Dec 19, 2005 at 1:00 P.M. at

5701 EIGHTH STREET CAMP PARKS
DUBLIN, CA 94568

You may be represented in this proceeding at no expense to the Government by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. If you wish to be represented, your attorney or representative should appear with you at the scheduled hearing.

Except as otherwise ordered by an Immigration Judge, any motions (including motions for continuances and motions to withdraw as counsel), applications, or other correspondence concerning this case should be filed with the Immigration Court at:

550 KEARNY ST., SUITE 800
SAN FRANCISCO, CA 94108

at least 10 days prior to the scheduled hearing. Evidence of payment of appropriate filing fees must be included.

ANYONE EXPECTING TO ENTER THE FACILITY IN ORDER TO APPEAR AT THE IMMIGRATION HEARING IS SUBJECT TO CORRECTIONS DEPARTMENT POLICIES AND PROCEDURES REGARDING ENTRY. CONTACT THE SECURITY OFFICE AT THIS PRISON IN ADVANCE OF THE DAY OF THE HEARING FOR FURTHER SPECIFIC INFORMATION ABOUT ENTRY GUIDELINES.

FOR INFORMATION REGARDING THE STATUS OF YOUR CASE, CALL TOLL FREE
1-800-898-7180 OR 703-305-1662.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)
TO: ☐ ALIEN ☒ ALIEN c/o Custodial Officer ☒ ALIEN's ATT/REP ☐ INS
DATE: OCT 17 2005 BY: COURT STAFF *[Signature]*
Attachments: ☐ EOIR-33 ☐ EOIR-28 ☐ Legal Services List ☐ Other

EXPEDITE

DETAINED ALIEN

CHRISTOPHER TODD, Attorney at Law
IMMIGRATION LAW CLINIC
University of California, Davis School of Law
1 Shields Avenue TB-30
Davis, CA 95616-8821
Tel.: (530) 752-6942 or
(415) 846-9311
Fax: (530) 752-0822

Attorneys for Respondent
ANA BIOCINI

Assisted by: Dia Moua, Chad Greeson

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN FRANCISCO, CALIFORNIA (DUBLIN FCI)

IN THE MATTER OF:

File No. A 091-182-333

ANA BIOCINI

**RESPONDENT'S UNOPPOSED
MOTION TO CONTINUE**

Respondent.

Date: October 17, 2005

Time: 1:00 P.M.

Judge: Murry

Respondent, through her counsel, hereby moves this court to reschedule the individual hearing set for October 17, 2005 at 1:00 P.M. Under Sections 1240.6 and 1003.29 of the Code of Federal Regulations, an Immigration Judge may grant a reasonable adjournment for good cause shown, upon application of the Respondent or the Department. 8 C.F.R. §§1240.6 and 1003.29 (2004).

Undersigned counsel has just undertaken representation in this case and requires more time to investigate and prepare the case. See Declaration of C. Todd, attached. Therefore, Respondent respectfully requests that her individual calendar hearing, which is currently scheduled for October 17, 2005 at 1:00 P.M., be rescheduled for a later date. Respondent respectfully suggests a date in mid- to late- November, if such a date is convenient for the Court.¹

¹Respondent submits this motion in addition to the Motion to Continue filed October 6, 2005. This motion is substantively identical to that motion but is filed again in order to set out the Department's non-opposition and to correct a clerical error that might have resulted from the fact that the first motion was filed with an incorrect A-number.

001-182-333

1 Dated: October 12, 2005

Respectfully submitted,

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5 CHRISTOPHER TODD
6 Immigration Law Clinic, UC Davis School of Law
7 Attorneys for the Respondent
8 Ana Biocini
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DECLARATION OF CHRISTOPHER TODD

I, Christopher Todd, declare:


1. I am a supervising attorney with the UC Davis School of Law's Immigration Law Clinic.
2. Ana Biocini contacted the Clinic with a request for representation. After correspondence back and forth this summer, when the Clinic was severely understaffed, we decided in late August to look more closely into this case as possibly a "good fit" for Clinic representation. I assigned Chad Greeson and Dia Moua, law students at UC Davis, to investigate the case.
3. We contacted Don Cook, the counselor at the Dublin FCI who has day-to-day responsibility for Ms. Biocini. He informed a Clinic representative that we needed to fax him identification and the dates of the proposed visit in order to be approved for an attorney visit with Ms. Biocini. He also informed us that the request for a visit had to be approved by the warden, and that we needed to allow at least a week for approval.
4. On September 2, 2005 we faxed the request for a visit on Tuesday, September 13. Mr. Cook did not return phone calls I and Clinic representatives left for him on Sept. 8, 9, or 12. On the 13th, Chad, Dia and I traveled to Dublin for what we thought was a 7:00AM meeting with Ms. Biocini. I called Mr. Cook again before arriving at Dublin, about 6:30 in the morning, he returned that call, and explained that the warden had not signed the approval for the visit. I asked him to forward the request again, then he suggested we have a teleconference with her that Friday.
5. Chad, Dia and I spoke with Ms. Biocini on Friday September 16 by telephone. At the end of that conversation, I renewed my request to Mr. Cook that he forward our request for attorney visitation to the warden for approval. He then suggested that we could meet on Fridays with Ms. Biocini as "regular" visitors, without appointment, but that we could not pass any papers or bring any materials with us during the visit. He also informed me that the only way to leave papers for Ms. Biocini was to mail them.
6. At this point, we did not feel comfortable taking the case without having met Ms. Biocini, and Dublin FCI had made such a meeting difficult. Finally, the next Friday, September 23, we met with Ms. Biocini. We decided to represent her at that meeting, and she agreed to the representation. However, we were not able to deliver and E- or G-28 to her that day. We mailed those documents to her for signature that day, September 23, after returning to Davis.
7. We filed a Motion to continue on October 6, 2005, without a signed E28. That day, we received Ms. Biocini's E-28 and filed it the next day, October 7. That same day, we realized

1 that the Motion to Continue was filed with an incorrect A-number. This motion to which
2 this is attached is substantively identical to the Motion filed October 6.

3 8. While we have begun case preparation, the preparation will simply not be properly
4 completed by October 17. Our case preparation has included several conversations with
5 potential expert witnesses with knowledge of narcotrafficking and conditions in Cali,
6 Colombia; conversations with Ms. Biocini's family members; and research into documentary
7 evidence that would bear on the threat of harm to Ms. Biocini were she to be removed to
8 Colombia. Furthermore, Professor Luz Nagle, a law professor and former judge in
Colombia, has agreed to provide an evaluation of the respondent's case and the threat facing
her in Colombia. However, she has made it clear to the undersigned that she cannot be
prepared to finalize an affidavit by October 17, 2005.

9 9. On October 11, 2005, Kim Fallone, Assistant Chief Counsel, contacted me and indicated that
10 the Government did not oppose a short continuance of this matter.

11 Executed under penalty of perjury on October 12, 2005 in Mill Valley, CA, by

12 
13
14 Christopher J. Todd, Esq.

CERTIFICATE OF SERVICE BY FEDERAL EXPRESS

RE: RESPONDENT'S UNOPPOSED MOTION TO CONTINUE
Ana Biocini
A# 091-182-333

I, Justine Tobin, declare as follows:

I am over the age of 18 years, and not a party to the within action. I am an employee at the School of Law, University of California, Davis, California 95616-8821.

On October 12, 2005, I served the attached **Respondent's Unopposed Motion to Continue** by personally placing said true copy/original in an envelope addressed to the persons named below at the address set out below, and by sealing and personally mailing said envelope by Federal Express overnight delivery.

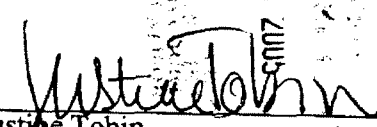
Original:

Clerk to the Honorable Judge Murry
Office of the Immigration Judge
Executive Office of Immigration Review
550 Kearny Street, Suite 800
San Francisco, CA 94108

Copy:

Office of the District Counsel
Department of Homeland Security
Bureau of Citizenship & Immigration Service
P.O. Box 26449
San Francisco, CA 94126-6449

Executed on this 12th day of October, 2005 at Davis, California.


Justine Tobin
Immigration Law Clinic
UC Davis School of Law
One Shields Ave. TB-30
Davis, CA 95616-8821

OCT 13 2005

AR 1465-76 have
been deleted.

Please see AR 339-
404